



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/731,060	12/09/2003	Yoichiro Tsuruta	36314	3741
116	7590	05/12/2006	EXAMINER	
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			HOLLOWAY III, EDWIN C	
			ART UNIT	PAPER NUMBER
			2612	

DATE MAILED: 05/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/731,060

Applicant(s)

TSURUTA ET AL.

Examiner

Edwin C. Holloway, III

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

EXAMINER'S RESPONSE

1. In response to applicant's amendment filed 2-16-06, all the amendments to the specification and claims have been entered. The examiner has considered the new presentation of claims and applicant's arguments in view of the disclosure and the present state of the prior art. And it is the examiner's opinion that the claims are unpatentable for the reasons set forth in this Office action:

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1 and 3-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen (US 5796334) in combination with Owen (US 5294915) and Lee (US 6570507B1).

Regarding claims 1-9, Chen discloses a locator system and method where a pressing a button at a transmitter results in a receiver synchronization or registration operation where a random number generated at the transmitter is stored in the transmitter as an transmitter identification code and sent to the receiver to be stored in the receiver. Subsequent operation of a transmitter button transmits the ID code and the receiver compares a received ID code to the prior registered ID code to provide a indication if they match. Chen discloses that the

receiver may be associated with a remote control transmitter, but does not disclose the transmitter being located at the appliance. This provides easy programming to distinguish transmitters. See the abstract, col. 1 line 15 - col. 3 line 34, col. 14 line 40 - col. 17 line 21.

Owen discloses an analogous art locating system and method where the transmitter is integrated in the appliance controlled by a remote control transmitter and the receiver/indicator is integrated into the remote control transmitter for simple construction and reliable results. See the abstract and cols. 1-2.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the ID code transmitter of Chen in the appliance in view of Owen disclosing integrating the location signal transmitter in the appliance for simple construction and reliable results. Alternatively, it would have been obvious to have included the ID code features of Chen in the system/method of Owen in order to distinguish between transmitters.

Chen and Owen lack the limitation of the appliance storing the code "in response to an instruction from said remote control apparatus added by the 2-16-06 amend to claims 1, 5 and 7. But Chen does teach in col. 14 lines 55-59 and col. 17 lines 1-13

Art Unit: 2612

that a user action such as pressing the pushbutton on the appliance transmitter or other action causes a reset to store an ID code and transmit it to the receiver on the remote control unit.

Lee discloses an analogous art remote control locator method and system where the call identification code is reset in response to a reset request command or instruction from the remote control unit. The appliance (TV) responds to receipt of the reset command by storing a different identification code and transmitting it to the remote control unit. The reset command is transmitted, for example, when the battery is replaced and the code erased in the remote control unit. If the remote controller demands a reset, the ID is automatically set, providing a signification convenience to the user as well as assigning different ID's to other kinds and models. See the abstract, col. 5 lines 5-35, col. 6 lines 31-53 and col. 9 lines 37-48.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included in the combination applied above the limitation of the appliance storing the code "in response to an instruction from said remote control apparatus added by the 2-16-06 amend to claims 1, 5 and 7 in view of Lee disclosing this limitation to provide a

Art Unit: 2612

significant convenience to the user and is at least suggested by Chen teaching that reset resulting in storing a new ID may be triggered by a user action other than pressing a button on the appliance/locating device.

Response to Arguments

4. Applicant's arguments with respect to claims 1 and 3-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kaminosono (US 6404349B1) discloses a remcon locator.

CONTACT INFORMATION

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact an Electronic Business Center (EBC) representatives at 703-305-3028 or toll free at 866-217-9197 between the hours of 6 a.m. and midnight Monday through Friday EST, or by e-mail at ebc@uspto.gov. The Patent EBC is a complete customer service center that supports all Patent e-business products and service applications. Additional information is available on the Patent EBC Web site at <http://www.uspto.gov/ebc/index.html>.

Any inquiry of a general nature should be directed to the Technology Center 2600 receptionist at (571) 272-2600.

Facsimile submissions may be sent via central fax number 571-273-8300 to customer service for entry by technical support


Art Unit: 2612

staff. Questions related to the operation of the facsimile system should be directed to the Electronic Business Center at (866) 217-9197. On July 15, 2005, the Central FAX Number will change to.

CENTRALIZED DELIVERY POLICY: For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number. Inquiries concerning only hours and location of the Customer Window may be directed to OIPE Customer Service at (703) 308-1202.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin C. Holloway, III whose telephone number is (571) 272-3058. The examiner can normally be reached on M-F (8:30-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308.

EH
5/8/06


EDWIN C. HOLLOWAY, III
PRIMARY EXAMINER
ART UNIT 2612